

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lawrence T. Boni *et al.*

Application No.: 10/696,389

Confirmation No.: 6398

Filed: October 29, 2003

Art Unit: 1615

For: SUSTAINED RELEASE OF
ANTIINFECTIVES

Examiner: G. S. Kishore

SUPPLEMENTARY INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants direct the attention of the Patent and Trademark Office to the references listed on the attached form PTO/SB/08. Applicants respectfully request that the Examiner consider the listed documents, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed dates of publication on the attached PTO/SB/08 for the cited documents based on information presently available to the undersigned. Nevertheless, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made. Furthermore, in accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to or considered to be material to patentability as defined in § 1.56(b).

In accordance with 37 C.F.R. § 1.97(e)(1), each item of information was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing of this Information Disclosure Statement. Therefore, no fee is believed to be due in connection with this submission. Nevertheless, the Commissioner is authorized to charge any deficiencies or credit any overpayment to our **Deposit Account No. 06-1448, under Reference TRA-008.01.**

Dated: February 10, 2009

Respectfully submitted,

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